

U.S.S.N. 10/015,419

**REMARKS - General****Rejections under 35 USC §102**

The Office Action (OA) rejects claims 1-4 under §102 as being anticipated by Danz et al., US Patent No. 5,805,020, hereinafter "Danz". Specifically, the OA submits that Danz discloses a silent start, class D amplifier that includes an audio signal, a comparator and an amplifier.

Applicant respectfully traverses this rejection. Applicant respectfully submits that the invention of Danz, as shown in FIG. 3 and as recited in the specification at col. 1, lines 22-40, is a class D amplifier having a fixed frequency, pulse width modulated pulse train. In other words, the frequency of the pulse train is periodic, while the width of each pulse changes.

Applicant's invention, by contrast, has a pulse train with a frequency that varies with the frequency of the audio signal, as recited in the specification on page 4, lines 4-5. Such a frequency modulation was recited by Applicant in claim 1 where the pulse train had a "proportional frequency" to the audio signal. Upon review, Applicant has amended this claim by inserting the object to which the proportional modifier refers. Specifically, Applicant has modified independent claims 1 and 4 to recite the pulse train having a frequency "proportional to the frequency of the audio signal". Support for this amendment is found in FIG. 2C, and on page 4, lines 4-5 of the specification as originally filed.

As Danz fails to teach a pulse train having a frequency proportional to the audio signal's frequency, Applicant respectfully submits that Danz fails to teach all of Applicant's claimed limitations. As such, Applicant respectfully submits that the §102 rejection is overcome. Applicant respectfully requests reconsideration of the rejection in light of the amendment and these comments.

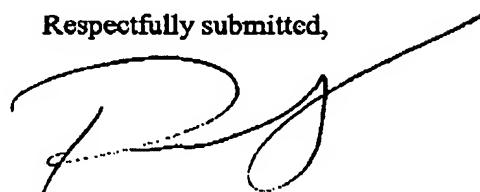
Applicant kindly thanks the Examiner for noting that claims 5-9 would be allowable if rewritten in independent form, and that claim 10 is allowable. In light of the amendment to claims 1 and 4, Applicant believes claims 1-10 to now be in allowable form.

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**CONCLUSION**

For the above reasons, Applicant believes the specification and claims are now in proper form, and that the claims all define patentably over the prior art. Applicant respectfully submits that this application is now in condition for allowance. Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned Attorney of record to expedite the prosecution of this case.

Respectfully submitted,



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